

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

Attorney's Docket Number

(Includes Reference to PCT International Application(s))

50179-055

As below named Inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL TRACT**

the specification, of which:

 is attached hereto. was filed as United States application Serial No. 09/155,116

on September 21, 1998

and was amended on \_\_\_\_\_ (if applicable).

 was filed as PCT international application Number PCT/AU97/00174

on March 20, 1997

and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(c) or Section 365(b) of any foreign and/or international application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:**

COUNTRY (If PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
AUSTRALIA	PN8810	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AUSTRALIA	PN8811	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AUSTRALIA	PN8812	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AUSTRALIA	PN8814	March 20, 1996	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

**PRIOR PROVISIONAL APPLICATION(S):**

Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

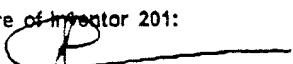
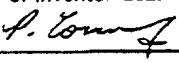
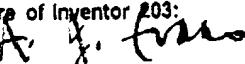
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. Application Number	U.S. Filing Date	Patented	Pending	Abandoned
<b>PCT APPLICATIONS DESIGNATING THE U.S.</b>				
PCT Application No.	PCT Filing Date	U.S. Serial Numbers Assigned (If any)		

**POWER OF ATTORNEY:** As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Edward A. Becker, Reg. No. 37,777; Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Daniel Bucca, Reg. No. 42,368; Reg. No. 37,095; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Paul Devinsky, Reg. No. 28,553; Laura A. Donnelly, Reg. No. 38,435; Margaret M. Duncan, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael F. Fogarty, Reg. No. 36,139; Wilhelm F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Thomas A. Jolly, Reg. No. 39,241; Eric J. Kraus, Reg. No. 36,190; Edward E. Kubasiewicz, Reg. No. 30,020; Patrick B. Law, Reg. No. 41,549; Robert E. LeBlanc, Reg. No. 37,219; Jack Q. Laver, Reg. No. 28,149; Rapnael V. Lupo, Reg. No. 28,363; Christine F. Martin, Reg. No. 39,762; Michael E. McCabe, Jr., Reg. No. 37,182; James H. Meadows, Reg. No. 33,965; Michael A. Messina, Reg. No. 33,424; Eugene J. Molinelli, Reg. No. 42,901; Joseph H. Paquin, Jr., Reg. No. 31,647; Craig L. Plastrik, Reg. No. 41,254; Robert L. Price, Reg. No. 22,685; Paul A. Roberts, Reg. No. 40,289; Gene Z. Robinson, Reg. No. 33,351; Joy Ann G. Serauskas, Reg. No. 27,952; Michele M. Schafer, Reg. No. 34,717; David J. Serbin, Reg. No. 30,589; Glenn Snyder, Reg. No. 41,428; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Leonid D. Thenor, Reg. No. 39,397; Keith J. Townsend, Reg. No. 40,358; Leon R. Turkevich, Reg. No. 34,035; Christopher D. Ward, Reg. No. 41,367; Damian G. Wasserbauer, Reg. No. 34,749; Aaron Weissbuch, Reg. No. P41,557; Edward J. Wisa, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zelnick, Reg. No. 35,976, all of McDermott, Will & Emery.

Send Correspondence to:		Direct Telephone Calls to: (name and telephone number)	
 McDERMOTT, WILL & EMERY 99 Canal Center Plaza, Suite 300 Alexandria, Virginia 22314		(202) 756-8600	
201	Full Name of Inventor	Family Name BROWN	First Given Name Ian
	Residence and Citizenship	City Tamworth	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 2 Melissa Avenue	City Tamworth
202	Full Name of Inventor	Family Name CONWAY	First Given Name Patricia
	Residence and Citizenship	City La Perouse	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 22 Goorawahl Avenue	City La Perouse
203	Full Name of Inventor	Family Name EVANS	First Given Name Anthony
	Residence and Citizenship	City Pennant Hills	State or Foreign Country New South Wales, Australia
	Post Office Address	Post Office Address 75 Blackbutt Avenue	City Pennant Hills

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 201: 	Signature of Inventor 202: 	Signature of Inventor 203: 
Date 4 <sup>th</sup> December 1998	Date 14 <sup>th</sup> December 1998	Date 21 <sup>st</sup> December 1998

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

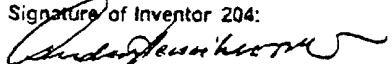
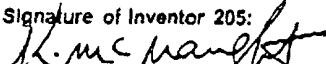
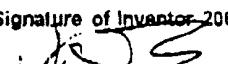
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. Application Number	U.S. Filing Date	Patented	Pending	Abandoned
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT Application No.	PCT Filing Date	U.S. Serial Numbers Assigned (If any)		

**POWER OF ATTORNEY:** As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Edward A. Becker, Reg. No. 37,777; Stephen A. Becker, Reg. No. 26,527; John G. Bisbikis, Daniel Bucca, Reg. No. 42,368; Reg. No. 37,095; Kenneth L. Cage, Reg. No. 26,151; Stephen C. Carlson, Reg. No. 39,929; Paul Devinsky, Reg. No. 28,553; Laura A. Donnelly, Reg. No. 38,435; Margaret M. Duncan, Reg. No. 30,879; Brian E. Ferguson, Reg. No. 36,801; Michael F. Fogarty, Reg. No. 36,139; Wilhelm F. Gadiano, Reg. No. 37,136; Keith E. George, Reg. No. 34,111; John A. Hankins, Reg. No. 32,029; Thomas A. Jolly, Reg. No. 39,241; Eric J. Kraus, Reg. No. 36,190; Edward E. Kubasiewicz, Reg. No. 30,020; Patrick B. Law, Reg. No. 41,549; Robert E. LeBlanc, Reg. No. 17,219; Jack Q. Lever, Reg. No. 28,149; Raphael V. Lupo, Reg. No. 28,363; Christine F. Martin, Reg. No. 39,762; Michael E. McCabe, Jr., Reg. No. 37,182; James H. Meadows, Reg. No. 33,965; Michael A. Messina, Reg. No. 33,424; Eugene J. Molinelli, Reg. No. 42,901; Joseph H. Paquin, Jr., Reg. No. 31,647; Craig L. Plastrik, Reg. No. 41,254; Robert L. Price, Reg. No. 22,685; Paul A. Roberts, Reg. No. 40,289; Gene Z. Robinson, Reg. No. 33,951; Joy Ann G. Serauskas, Reg. No. 27,952; Michael M. Schafer, Reg. No. 34,717; David J. Serbin, Reg. No. 30,589; Glenn Snyder, Reg. No. 41,328; Arthur J. Steiner, Reg. No. 26,106; David L. Stewart, Reg. No. 37,578; Leonid D. Thenor, Reg. No. 39,397; Keith J. Townsend, Reg. No. 40,358; Leon R. Turkevich, Reg. No. 34,035; Christopher D. Ward, Reg. No. 41,367; Damian G. Wasserbauer, Reg. No. 34,749; Aaron Weissbuch, Reg. No. P41,557; Edward J. Wise, Reg. No. 34,523; Alexander V. Yampolsky, Reg. No. 36,324; and Robert W. Zeinick, Reg. No. 36,975, all of McDermott, Will & Emery.

Send Correspondence to:		Direct Telephone Calls to: (name and telephone number)	
 McDERMOTT, WILL & EMERY 99 Cana Center Plaza, Suite 300 Alexandria, Virginia 22314		(202) 756-8500	
204	Full Name of Inventor	Family Name HENRIKSSON	First Given Name Karl
	Residence and Citizenship	City Bellevue Hill	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 10/174 Old South Head Road	City Bellevue Hill
205	Full Name of Inventor	Family Name MCNAUGHT	First Given Name Kenneth
	Residence and Citizenship	City Cottage Point	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 10 Cottage Point Road	City Cottage Point
206	Full Name of Inventor	Family Name WANG	First Given Name Xin
	Residence and Citizenship	City Randwick	State or Foreign Country New South Wales, AUSTRALIA
	Post Office Address	Post Office Address 4/121 Avoca Street	City Randwick

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 204: 	Signature of Inventor 205: 	Signature of Inventor 206: 
Date 18 December 1998	Date 4 Dec. 98	Date 4 Jan 1999

Docket No.: 50179-101

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
Ian L. BROWN, et al. :  
Serial No.: Divisional of : Group Art Unit: To be assigned  
Appln. Serial No. 09/155,116 :  
Filed: February 12, 2002 : Examiner: To be assigned  
: :  
For: ALTERATION OF MICROBIAL POPULATIONS IN THE GASTROINTESTINAL  
TRACT

**CORRESPONDENCE ADDRESS CHANGE**

Commissioner for Patents and Trademarks  
Washington, D. C. 20231

Sir:

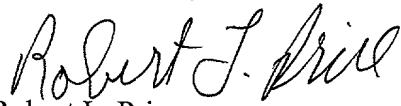
Please change the records to indicate the current firm name and telephone number for the above-identified application and forward all future correspondence as follows:

McDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, DC 20005-3096

202-756-8000  
Facsimile: 202-756-8087

Respectfully submitted,

MCDERMOTT, WILL & EMERY

  
Robert L. Price  
Registration No. 22,685

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 RLP:BD  
**Date: February 12, 2002**  
Facsimile: (202) 756-8087